

IN RE: PETITION FOR ZONING VARIANCE
SNC Old Milford Mill &
Milford Industrial Roads
4311 Old Milford Mill Road
3rd Election District
2nd Councilmanic District
Legal Owner: Harold Snyder
Contract Purchaser:
Creative Realty
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-527-A

AMENDED ORDER

WHEREAS, the Petitioners herein requested a variance from Section 409.8(4) to allow parking of 0 feet from the right of way line of Old Milford Mill Road and 5 feet from the right of way line of Milford Industrial Road in lieu of the required 10 feet; and a variance from Section 238.2 to allow building setbacks of 1 foot (interior side and rear wall) and 27 feet (street corner side) in lieu of the required 30 feet, as more particularly described on Petitioner's Exhibit 10; and,

WHEREAS, by an Order dated July 14, 1989, the Petitioners were granted the relief requested, subject to restrictions; and

WHEREAS, to be in conformance with the Zoning Commissioner's findings, restriction No. 2 should be amended to read as follows:

Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), excluding and excepting those comments regarding the 2 foot parking overhang from the street right of way of Old Milford Mill Road and the suggested wheel stops, the Petitioner shall be permitted to develop the subject site pursuant to the site plan marked Petitioner's Exhibit No. 10; and,

WHEREAS, in the opinion of the Zoning Commissioner, said amendment does not result in a substantive change to the relief requested, nor is it contrary to the health, safety or general welfare of the community.

THEREFORE, IT IS HEREBY ORDERED by the Zoning Commissioner for Baltimore County, this 27th day of July, 1989, that restriction No. 2 of the Order dated July 14, 1989, is hereby amended; and

IT IS FURTHER ORDERED, that all other terms, conditions, and restrictions of the original Order of July 14, 1989, shall remain in full force and effect.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:mmm
cc: Peoples Counsel

ORDER RECEIVED FOR FILING
FILED
JUL 27 1989
BY

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

July 25, 1989



Dennis F. Rasmussen
County Executive

Mr. Harold Snyder
7130 Milford Industrial Road
Baltimore, Maryland 21209

Mr. Steven Weintraub
11109 Valley Heights
Owings Mills, Maryland 21117

Mr. William P. Monk
100 W. Pennsylvania Avenue
Suite 305
Towson, Maryland 21204

RE: AMENDED ORDER
Petition for Zoning Variance
Case No. 89-527-A

Gentlemen:

Enclosed please find a copy of the Amended Order in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Amended Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:mmm
encl.
cc: Peoples Counsel

IN RE: PETITION FOR ZONING VARIANCE
SNC Old Milford Mill &
Milford Industrial Roads
4311 Old Milford Mill Road
3rd Election District
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Legal Owner: Harold Snyder
Contract Purchaser:
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Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-527-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 409.8(4) to allow parking of 0 feet from the right of way line of Old Milford Mill Road and 5 feet from the right of way line of Milford Industrial Road in lieu of the require 10 feet; and a variance from Section 238.2 to allow building setbacks of 1 foot (interior side and rear wall) and 27 feet (street corner side) in lieu of the required 30 feet, as more particularly described on Petitioner's Exhibit 10.

The Petitioner, Harold Snyder, Legal Owner of the subject property, was represented by William P. Monk, a land use and zoning consultant, who appeared and testified. Also appearing on behalf of the Petitioner was Steven Weintraub, agent and representative of Creative Realty, Inc., pursuant to Petitioner's Exhibit 1. There were no Protestants.

Testimony indicated that the subject property, known as 4311 Milford Mill Road and located on the southwest corner of Old Milford Mill Road and Milford Industrial Road, consists of .39945 acres +/- and is zoned M.L.

The Petitioner proposes the construction of a two level warehouse/office building, as more particularly described on Petitioner's Exhibit 10.

Mr. Monk testified that the subject property, currently unimproved, is located within the Milford Industrial Park. He advised that the site received zoning approval for a gas station, pursuant to zoning case #4921-XA.

Mr. Monk stated that the surrounding properties are currently zoned and utilized for industrial purposes and that the proposed building is compatible in nature and size with its surrounding neighbors.

Mr. Monk further testified that the requested parking variances, which will require a 2 foot overhang into the landscape area along Old Milford Mill Road, are necessary to provide adequate on-site parking. However, he stated that, pursuant to the ZAC highway comments of May 11, 1989, "Milford Industrial Road and Milford Mill Road have been improved to their ultimate sections. No improvements are necessary". He indicated that 20 parking spaces will be created on the site, which will eliminate the need for curb/street parking.

Mr. Monk further stated that the 35 foot right of way on Old Milford Mill Road has been dedicated to the County in fee, and that the remaining 21 foot wide landscape area (See Petitioner's Exhibit 10) will be maintained as a vegetative buffer pursuant to a landscape plan that will be submitted to Baltimore County for approval. He testified that, in his opinion, the proposed parking area is sufficient for this site and is otherwise in conformance with the Baltimore County Zoning Regulations (B.C.Z.R.).

Regarding the requested setback variances, Mr. Monk testified that the lot creates its own practical difficulty in view of its narrow configuration.

ration, that absent the requested variances, the lot cannot be practically developed for commercial purposes.

Mr. Weintraub testified that the facility will be leased by a printing company which is currently a tenant in the Industrial Park. He also stated that he has discussed the development plans with the Colonial Village Improvement Association, who had no objection to the proposed facility.

Testimony presented by the Petitioner indicated that the requested variances are essential if the subject site is to be commercially developed, and that the granting of said variances will not result in any detriment to the health, safety or general welfare of the community.

Testimony and pictures presented, in conjunction with a site view by the Zoning Commissioner, clearly, indicates that the proposed facility is compatible with the surrounding area and will not adversely impact on traffic congestion in this M.L. zone.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of July, 1989 that the requested variance from Section 409.8(4) to allow parking of 0 feet from the right of way line of Old Milford Mill Road and 5 feet from the right of way line of Milford Industrial Road in lieu of the require 10 feet; and a variance from Section 238.2 to allow building setbacks of 1 foot (interior side and rear wall) and 27 feet (street corner side) in lieu of the required 30 feet, as more particularly described on Petitioner's Exhibit 10, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever

reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), which are adopted in their entirety and made a part of this Order.

3. The Petitioner shall provide a landscape plan to the Office of Current Planning for approval by the Baltimore County Landscape Planner and said landscape plan shall then be submitted to the Zoning Commissioner for approval. The approved landscape plan shall become a permanent part of the record and file in this matter.

4. The existing sign pole and signage currently located on the subject property and depicted on Petitioner's Exhibit #6 shall be removed from the site prior to the issuance of any building permits regarding the subject Petition.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:mmm

cc: Peoples Counsel

cc: Mr. Harold Snyder, 7130 Milford Industrial Road, 21209
Mr. William P. Monk, 100 W. Pennsylvania Avenue, Suite 305, 21204
Mr. Steven Weintraub, 11109 Valley Heights, Owings Mills, MD 21117

OWNER/APPLICANT:
MILFORD MILL ASSOCIATES, LLC.
28 WALTON AVE
BALTIMORE MD 21208

2. CURRENT ZONING ACROSS: 0.95 ACRES +/- . ML

3. ELECTION DISTRICT 3; COUNCILMAN/DISTRICT 2

5. SITE DATA:
TAX MAP 78, GRID IS "ARCEL 903"
DEED REFERENCE: 8361/136
TAX ACCOUNT NO. 1-03-00007TH

6. SITE ADDRESS:
4700D MILFORD MILL ROAD
BALTIMORE MD 21208

6. DENSITY/F.A.R. 2.0
PERMITTED = 2.0 +
PROPOSED = 8000 S.F./ 2562 S.F. = 0.32 F.A.R.)

7. PARKING
1 SPACE/EMPLOYEE PER MAX. SHIFT IN 8 SPACES
TOT. REQUIRED = 8 SPACES
TOT. PROVIDED = 8 SPACES (18 STANDARD, 8 HANDICAP)
ALL FINISHED SPACES WILL BE 8'X 24'

8. OPEN SPACES: NONE REQUIRED

9. THE SITE IS NOT LOCATED WITHIN A 100 YEAR FLOODPLAIN
AS PER THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE
RATE MAP COMMUNITY PANEL NO. 240000 0380B, EFFECTIVE MARCH 2, 1981

10. ESTIMATED AVERAGE DAILY TRIPS: 40 /A.C. X 0.495 AC. = 20 ADT'S

11. THE CONTRACTOR IS TO NOTIFY MISS UTILITIES (4100-257-7777) A MINIMUM OF 3 WORKING DAYS PRIOR TO ANY CONSTRUCTION OR EXCAVATION. THE CONTRACTOR IS TO ALSO NOTIFY A PRIVATE UTILITY CONTRACTOR FOR ALL ON-SITE UTILITY LOCATIONS.

12. EXISTING UTILITY LOCATION INFORMATION SHOWN ON THESE PLANS IS FOR THE CONTRACTORS CONVENIENCE ONLY. WHILE THE INFORMATION SHOWN HAS BEEN GATHERED FROM SURVEYS AND SOURCES DEEMED TO BE RELIABLE, THE CORRECTNESS OR COMPLETENESS OF THE INFORMATION SHOWN IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY ALL INFORMATION TO HIS OWN SATISFACTION.

13. THE CORRECTNESS OR COMPLETENESS OF THE INFORMATION SHOWING EXISTING CONDITIONS IS NOT WARRANTED OR GUARANTEED. THE CONTRACTOR SHALL VERIFY ALL INFORMATION AND EXISTING CONDITIONS TO HIS OWN SATISFACTION.

14. ELECTRIC, TELEPHONE, GAS, CABLE & LIGHTING TO BE DESIGNED BY OTHERS.

15. ALL PROPOSED WATER LINES SHALL HAVE 4" MINIMUM COVER, 0.5" MINIMUM VERTICAL CLEARANCE FROM ALL STORM DRAIN LINES AND 4" MINIMUM VERTICAL CLEARANCE FROM ALL SANITARY SEWERS

16. ALL SANITARY SEWER LINES SHALL BE PVC, SCHEDULE 40.

17. UTILITY INSTALLATION SHALL BE SCHEDULED TO AVOID MAINTENANCE CONFLICTS/PROBLEMS WITH SEWERAGE AND EROSION CONTROL MEASURES.

18. INSTALLED UTILITIES SHALL HAVE 2" EARTH COVER, MINIMUM AS CONSTRUCTION PRACTICES.

19. UNLESS NOTIFIED, SITE UTILITIES SHALL BE CAPPED AND PLUGGED 5' FROM FACE OF BUILDING.

20. CONTRACTOR SHALL DISCHARGE CHLORINATED FLUSH WATER INTO AN OPERATIONAL SANITARY SEWER MAINLINE.

21. CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND INSPECTIONS.

22. CONTRACTOR SHALL COORDINATE ALL WATER, SEWER AND DRAIN CONNECTIONS WITH THE MECHANICAL/PLUMBING DRAWINGS.

23. FIRE HYDRANT FLANGES SHALL BE PLACED 2' ABOVE FINISHED GRADE.

24. ONLY BALTIMORE CITY PERSONNEL SHALL OPERATE PUBLIC WATER VALVES. CONTRACTOR SHALL NOTIFY BALTIMORE COUNTY INSPECTOR OR AREA ENGINEER TO ARRANGE SHUT DOWN (410-887-3531).

25. PRIOR TO CONSTRUCTION, THE MECHANICAL CONSULTANT SHALL VERIFY ADEQUACY OF WATER SUPPLY.

26. CONTRACTOR SHALL CONNECT ON-SITE WATER TO THE WATER METER. IF METER IS NOT IN PLACE AT TIME OF ON-SITE INSTALLATION, MAINTAIN 30" CLEAR OF METER WALL LOCATION.

27. STORM DRAIN, SANITARY SEWERS, WATER MAINS, PAVING, ETC. SHALL BE INSTALLED IN ACCORDANCE WITH THE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS STANDARD SPECIFICATIONS AND DETAILS FOR CONSTRUCTION AS AMENDED AND THE 1993 NATIONAL PLUMBING CODE AS AMENDED. IN CASE OF CONFLICTS OR DISCREPANCIES, THE PLUMBING CODE SHALL TAKE PRECEDENCE.

28. THE CONTRACTOR SHALL HIRE A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF MARYLAND TO DESIGN AND SUPERSEDE ALL EXISTING AND CALCULATION OF THE PLANS. ALL STORM DRAINS, SANITARY SEWERS AND WATER MAINS SHOWN HEREON WERE INSTALLED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS. ALL LINES MUST BE INSPECTED PRIOR TO BACKFILLING TRENCHES.

29. THE CONTRACTOR IS TO PROVIDE CLEANOUTS FOR ALL SEWER CONNECTIONS INTO THE INTERIOR OF THE BUILDING FROM THE FACE OF THE PROPOSED BUILDING AND AT ALL BENDS OF THE ROOF LEAD SYSTEM. SEE BALTIMORE COUNTY STANDARD PLATE 5-40 FOR CO-DIRECTION OF ALL CLEANOUTS IN PAVED AREAS.

30. THE CONTRACTOR SHALL REPAIR AND/OR REPLACE ALL DAMAGE TO EXISTING UTILITIES, CURBS AND DRIVEWAYS RESULTING FROM WORK AND INSTALLATION OF THE PROPOSED CONSTRUCTION AT HIS OWN EXPENSE AND TO THE OWNER'S SATISFACTION.

31. CONTRACTOR SHALL REPAIR AND MAINTAIN EXISTING SEDIMENT CONTROL DEVICES UNTIL ALL AREAS IMPACTED BY CONSTRUCTION ARE RESTORED AND STABILIZED BEFORE GRADING AND SEDIMENT CONTROL PLANS CAN BE REMOVED.

32. CONTRACTOR TO MAINTAIN POSITIVE FLOW FROM EXISTING FOUNDATION AT ALL TIMES. FINISHED GRADES SHALL BE 1' FROM BUILDING FACE AT A MINIMUM OF 1/4" R/WFT FOR VEGETATED AREAS AND 3/4" R/WFT FOR PAVED AREAS.

33. THERE ARE NO EXISTING OR PROPOSED WELL OR SEPTIC AREAS ON THIS SITE.

34. CONTRACTOR SHALL PROVIDE POSITIVE DRAINAGE TO CURBS FROM ALL PROPOSED ISLANDS. MINIMUM SLOPE BEYOND PROPOSED CURBS SHALL BE 1/2" R/WFT OVER 2'.

35. UNLESS OTHERWISE NOTED, DIMENSIONS FROM CURB ARE MEASURED FROM FACE OF CURB.

36. ZONING HISTORY:

THIS SITE WAS THE SUBJECT OF ZONING CASE 492B-VIA.
WHEN REQUESTED A SPECIAL EXCEPTION TO ALLOW A FILING STATION
THE REQUESTED RELEV WAS GRANTED IN AN ORDER DATED JAN 6, 1990.

THIS SITE WAS THE SUBJECT OF ZONING CASE NO. 89-527-A WHICH REQUESTED A VARIANCE FROM SECTION 409.8 (A) TO ALLOW PARKING 0 FEET FROM THE SIDE AND FRONT DRIVeways AND 5 FEET FROM THE REAR DRIVEWAY. THE BOARD OF APPEALS IN LIEU OF THE REQUIRED 10 FEET AND VARIANCES TO ALLOW BUILDING SETBACKS OF 15 FOOT MINIMUM FROM THE REAR DRIVEWAY AND 21 FEET (STREET CORNER) IN LIEU OF THE REQUIRED 30 FEET. THE REQUESTED VARIANCE WAS GRANTED IN AN ORDER DATED JULY 14, 1989, SUBJECT TO THE FOLLOWING RESTRICTIONS:

1) THE PETITIONERS MAY APPLY FOR THEIR BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME WITHOUT AN ORDER OR IN VIOLATION OF THIS ORDER IS ILLEGAL AND SUBJECT TO CIVIL PENALTIES AND COSTS. IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE PETITIONERS WOULD BE REQUIRED TO STOP AND BE RESPONSIBLE FOR RETURNING THE PROPERTY TO ITS ORIGINAL CONDITION.

2) COMPLIANCE WITH THE COMMENTS SUBMITTED BY THE BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE (ZACL), WHICH ARE ADOPTED IN THEIR ENTIRETY AND MADE A PART OF THIS ORDER.

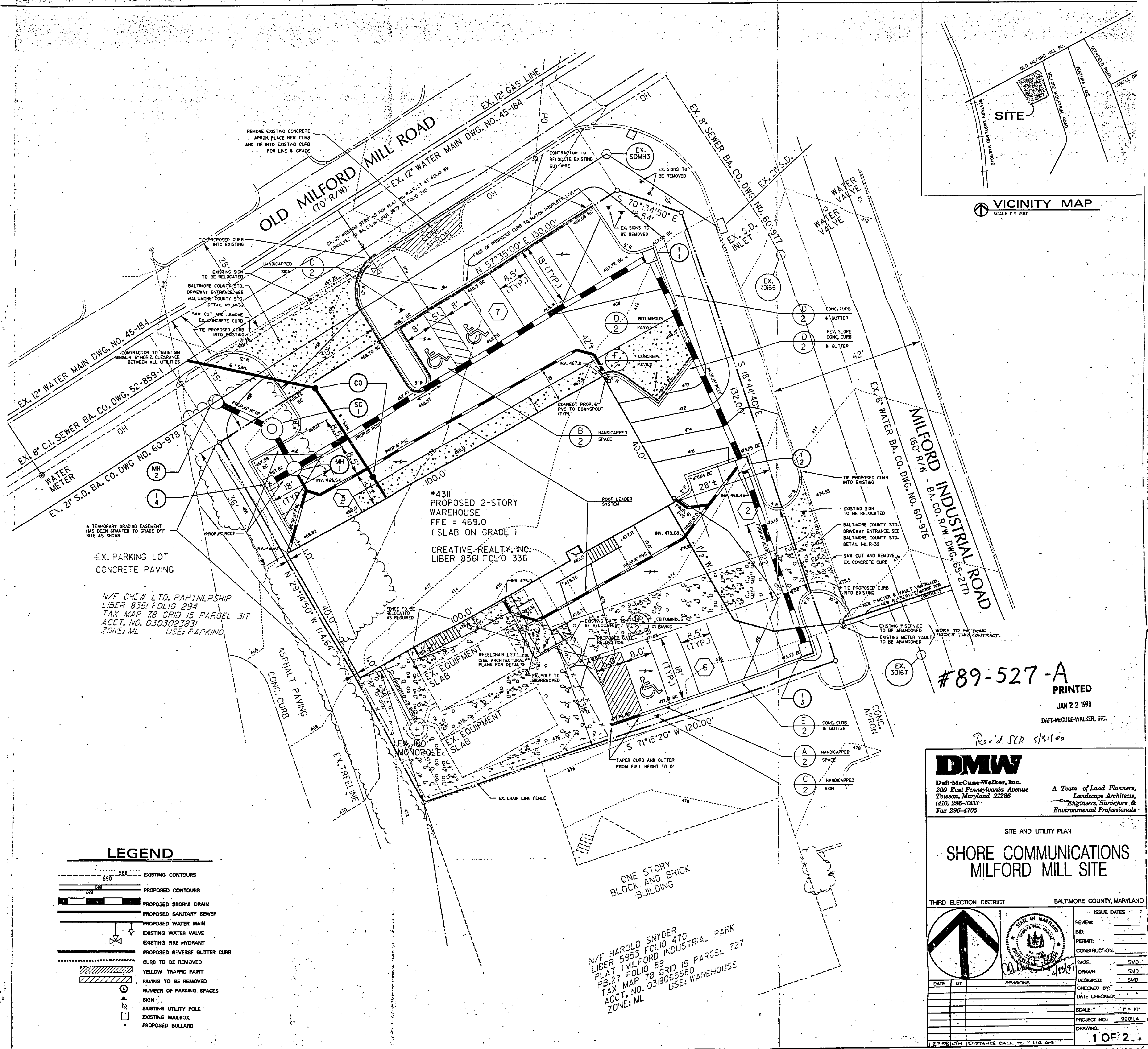
3) THE PETITIONER SHALL PROVIDE A LANDSCAPE PLAN TO THE OFFICE OF CURRENT PLANNING FOR APPROVAL. BY THE BALTIMORE COUNTY LANDSCAPE PLANNER AND SAID LANDSCAPE PLAN SHALL THEN BE SUBMITTED TO THE ZONING COMMISSIONER FOR APPROVAL. THE APPROVED LANDSCAPE PLAN SHALL BECOME A PERMANENT PART OF THE RECORD AND FILE IN THIS MATTER.

4) THE EXISTING SIGN POLE AND SIGNAGE CURRENTLY LOCATED ON THE SUBJECT PROPERTY AND IDENTICAL TO THAT SHOWN ON PETITIONER'S EXHIBIT #6 SHALL BE REMOVED FROM THE SITE PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS REGARDING THE SUBJECT PARCELS.

* RESTRICTION NO. 2 WAS AMENDED ON JULY 27, 1989 TO READ AS FOLLOWS:
COMPLIANCE WITH THE COMMENTS SUBMITTED BY THE BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE (ZACL), EXCLUDING AND EXCEPTING THOSE COMMENTS REGARDING THE 2 FOOT PARKING OVERHANG FROM THE STREET RIGHT OF WAY OF OLD MILFORD MILL ROAD AND THE SUGGESTED MEDIAN STRIPS. THE PETITIONER SHALL BE RESPONSIBLE TO DEVELOP THE SUBJECT SITE PURSUANT TO THE PLAN MARKED PETITIONERS EXHIBIT NO. 10.

BY THE LETTER DATED JANUARY 16, 1997 THE IMPROVEMENTS SHOWN ON THIS PLAN WERE TENTATIVELY DETERMINED TO BE WITHIN THE SPIRIT AND INTENT OF THE RELEV GRANTED IN CASE NO. 89-527-A.

590
 588
 EXISTING CONTOURS
 586
 580
 PROPOSED CONTOURS
 PROPOSED STORM DRAIN
 PROPOSED SANITARY SEWER
 PROPOSED WATER MAIN
 EXISTING WATER VALVE
 EXISTING FIRE HYDRANT
 PROPOSED REVERSE GUTTER
 CURB TO BE REMOVED
 YELLOW TRAFFIC PAINT
 PAVING TO BE REMOVED
 NUMBER OF PARKING SPACES
 SIGN
 EXISTING UTILITY POLE
 EXISTING MAILBOX
 PROPOSED BOLLARD



JAN 22 1998

DAFT-McCUNE-WALKE



Rec'd SCP 5/31/00

DMW
Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

A Team of
Land
Engine
Environment

SITE AND UTILITY PLAN

SHORE COMMUNICATIONS
MILFORD MILL ST

THIRD ELECTION DISTRICT		BALTIMORE CITY	
			
DATE BY		REVISIONS	
23 OCT 1971		DISTANCE CALL TEL. 118-6411	

FILE COPY 1/22/98

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

July 14, 1989



Dennis F. Rasmussen
County Executive

Mr. Harold Snyder
7130 Milford Industrial Road
Baltimore, Maryland 21209

Mr. Steven Weintraub
11109 Valley Heights
Owings Mills, Maryland 21117

Mr. William P. Monk
100 W. Pennsylvania Avenue
Suite 305
Towson, Maryland 21204

RE: Petition for Zoning Variance
Case No. 89-527-A
Harold Snyder, Legal Owner
Creative Realty, Contract Purchasers, Petitioners

Complaint:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, in accordance with the attached order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:mmm
cc: Peoples Counsel

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.8 (4) to allow parking 0' from Old Milford Mill Road and 5' from Milford Industrial Road in lieu of the required 10' - A variance from Section 255.1 to allow building setback of 1 ft. (interior side and rear) and 27 feet (street corner side) in lieu of the required 30 feet.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I/we do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
Creative Realty
(Type or Print Name)
Signature
1802 Reisterstown Road
Address
Baltimore, MD 21208
City and State

Legal Owner(s):
Harold Snyder
(Type or Print Name)
Signature
7130 Milford Industrial Road
Address
Baltimore, MD 21209
City and State

Attorney for Petitioner:
(Type or Print Name)
Signature
7130 Milford Industrial Road
Address
Baltimore, MD 21209
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
William P. Monk
100 W. Pennsylvania Avenue, Ste. 305
Towson, MD 21204
Address
694-9331
Phone No.

Attorney's Telephone No.:
Address
City and State

ORDERED BY The Zoning Commissioner of Baltimore County, this 26th day of June, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-out Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 27th day of June, 1989, at 9:30 o'clock a.m.

J. Robert Haines
Zoning Commissioner of Baltimore County.

(over)

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

Date: 6/9/89

Creative Realty
1508 Reisterstown
Baltimore, MD 21208

Dennis F. Rasmussen
County Executive

Dear Petitioner(s):

Please be advised that \$79.94 is due for advertising and posting of the above referenced property.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THIS ORDER SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN AND POST SET(S) FROM THE PROPERTY UNTIL THE DATE OF THE HEARING.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 000000
DATE 6/17/89 ACCOUNT Creative Realty

AMOUNT \$ 79.94

RECEIVED FROM Creative Realty

FOR 1508 Reisterstown Rd. 89-527-A

VALIDATION OR SIGNATURE OF CASHIER

JRH:gs

Zoning Description Being A Part Of M1 3rd Industrial Park

Beginning at a point on the south side of Milford Mill Road, being S 57 degrees 34 minutes 57 seconds 15.00 feet from the intersection of the West side of Milford Industrial Road thence the following courses viz:

- 1) S 70 degrees 34 minutes 50 seconds E 18.54 Feet
- 2) S 18 degrees 44 minutes 40 seconds E 132.00 Feet
- 3) S 71 degrees 15 minutes 24 seconds W 119.99 Feet
- 4) N 29 degrees 14 minutes 50 seconds W 114.64 Feet
- 5) N 57 degrees 34 minutes 57 seconds E 130.00 Feet

To the place of beginning containing 0.39045 Acres more or less



Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

May 18, 1989

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

PETITION FOR ZONING VARIANCE
Case Number: 89-527-A
SWC (Old Milford Mill & Milford Industrial Roads)
4111 Old Milford Mill Road
3rd Election District - 2nd Councilmanic
Legal Owner(s): Harold Snyder
Contract Purchaser(s): Creative Realty
HEARING SCHEDULED: TUESDAY, JUNE 27, 1989 at 9:30 a.m.

Variance to allow parking zero ft. from Old Milford Mill Road and 5 ft. from Milford Industrial Road in lieu of the required 10 ft. A variance to allow building setback of 1 ft. (interior side and rear) and 27 ft. (street corner) in lieu of the required 30 ft.

In the event this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Harold Snyder
Creative Realty
William P. Monk
File

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 14, 1989
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 12, 1989.

THE JEFFERSONIAN,

S. Zabe Orman
Publisher

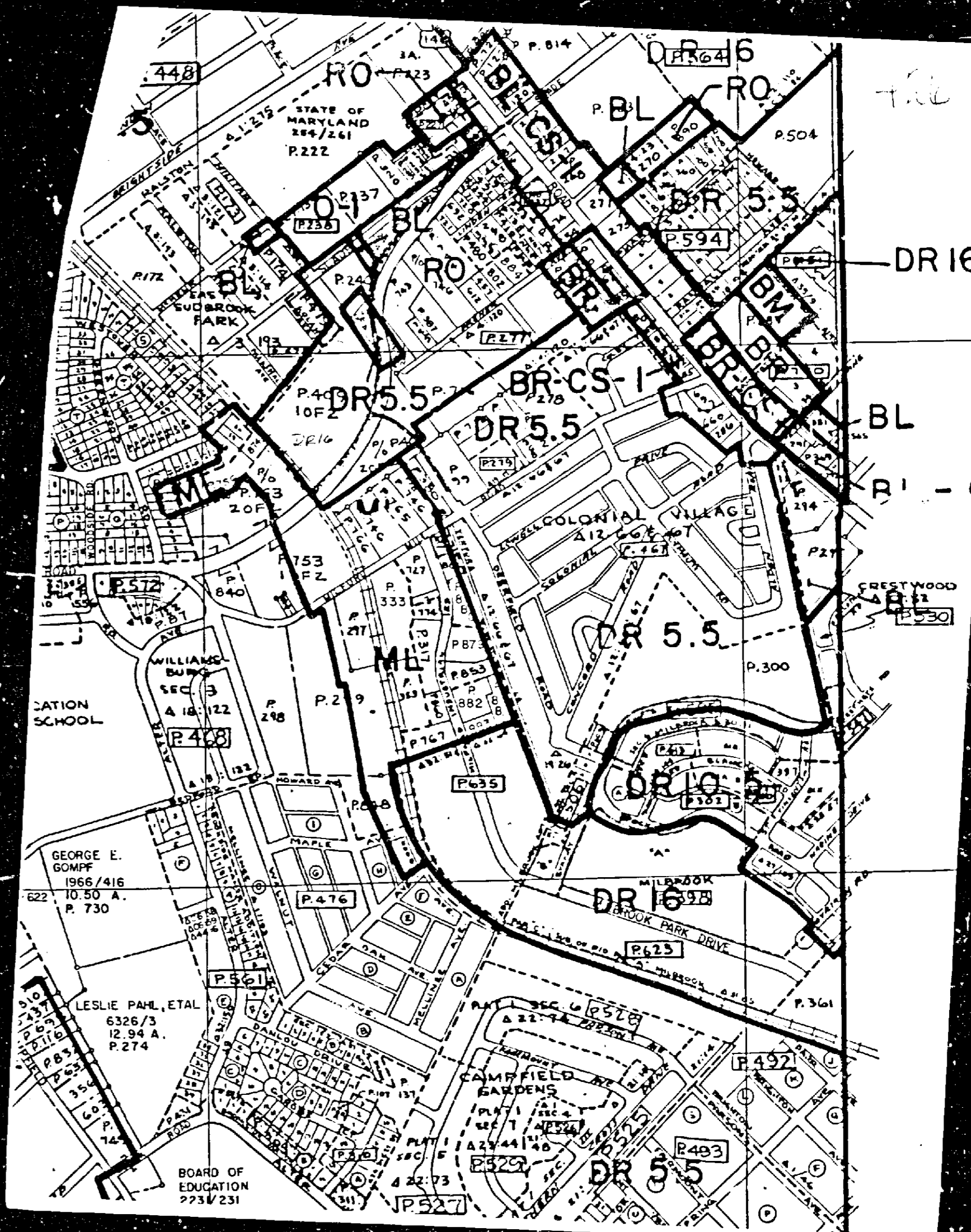
PC # 12622
Case # 89-527-A
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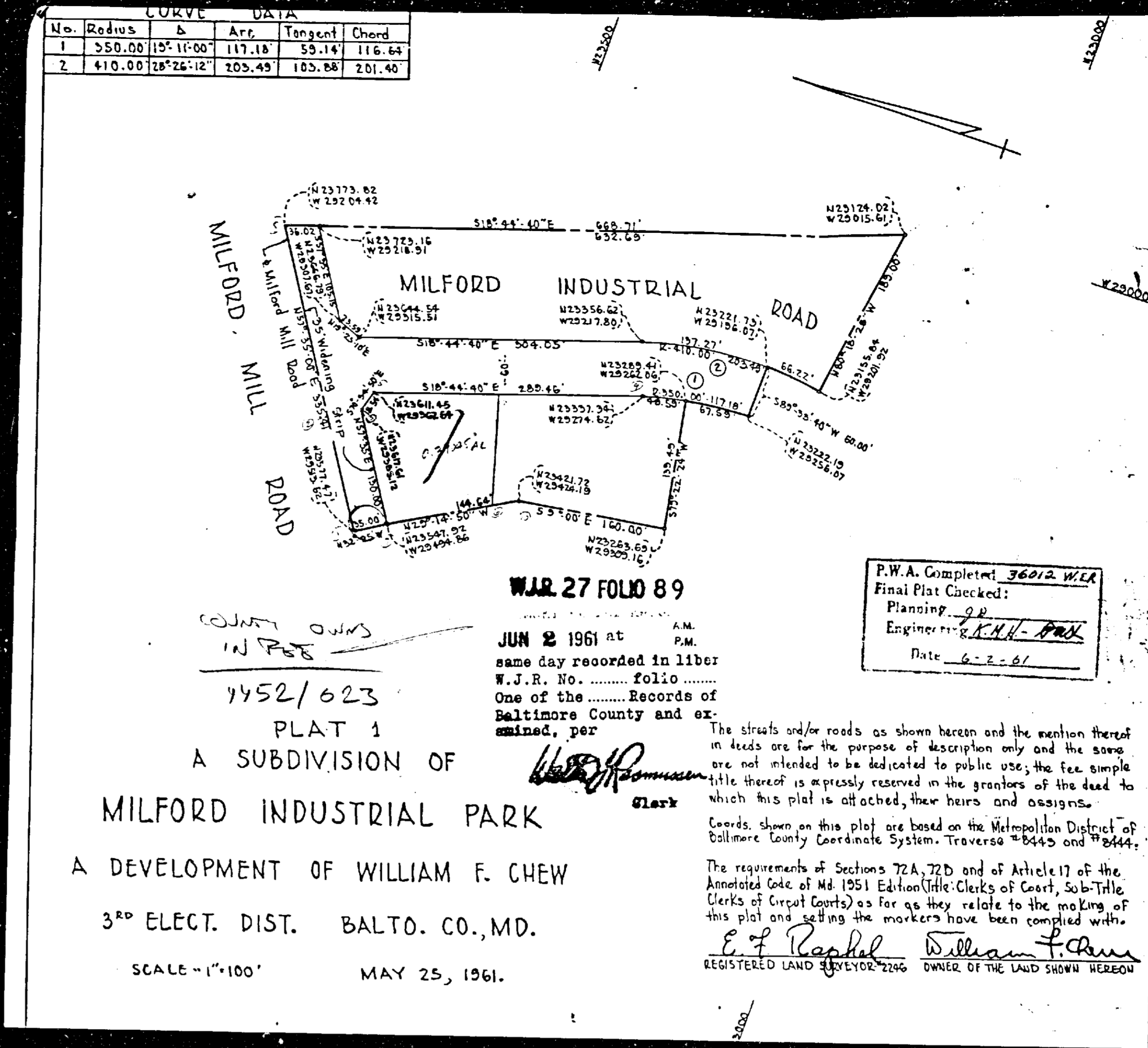
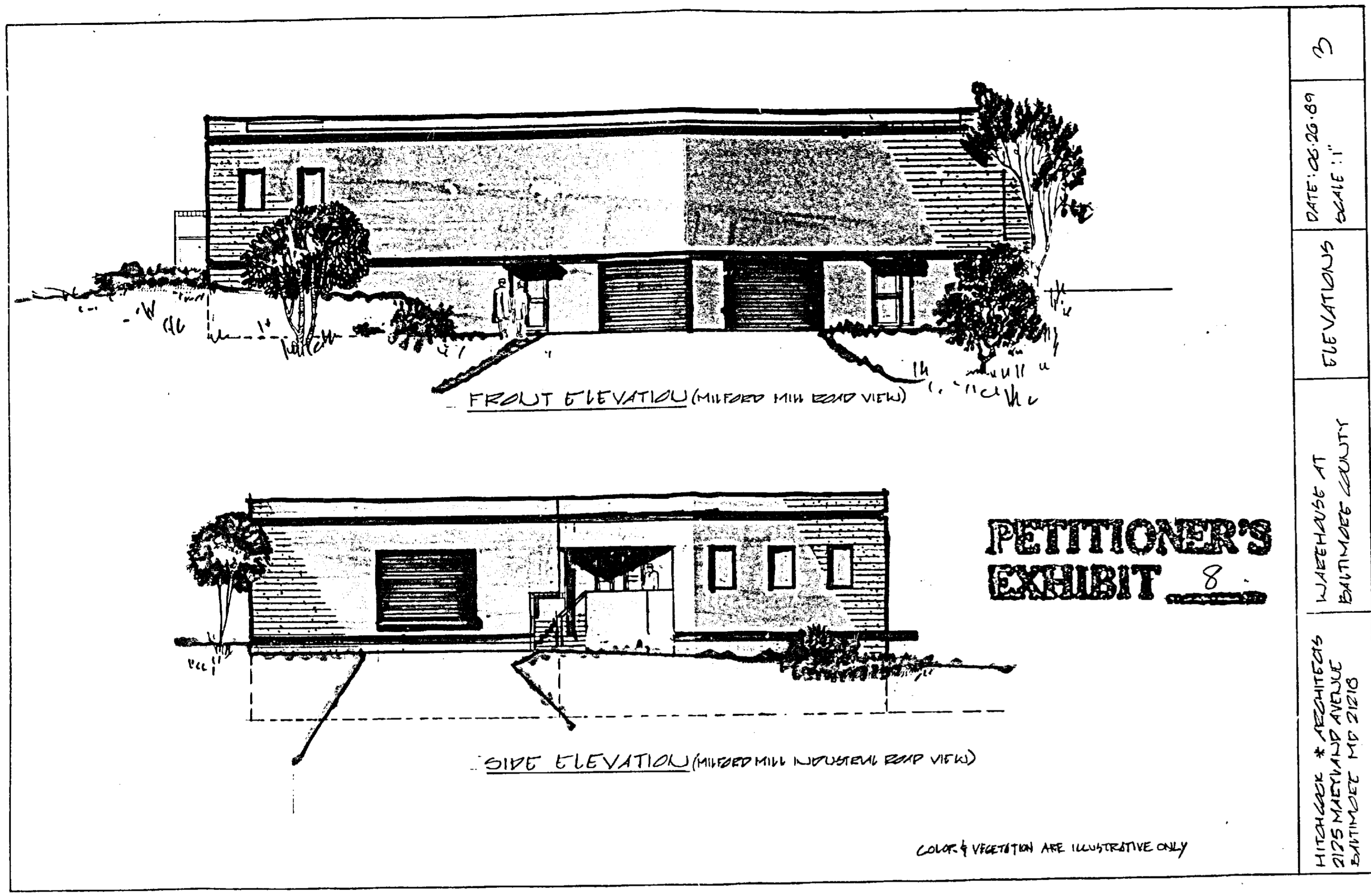
NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
Petition for Zoning Variance
Case Number: 89-527-A
SWC (Old Milford Mill & Milford Industrial Roads)
4111 Old Milford Mill Road
3rd Election District - 2nd Councilmanic
Legal Owner(s): Harold Snyder
Contract Purchaser(s): Creative Realty
HEARING SCHEDULED: TUESDAY, JUNE 27, 1989 at 9:30 a.m.
Variance to allow parking zero ft. from Old Milford Mill Road and 5 ft. from Milford Industrial Road in lieu of the required 10 ft. A variance to allow building setback of 1 ft. (interior side and rear) and 27 ft. (street corner) in lieu of the required 30 ft.
In the event that the Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
6022 June 1

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

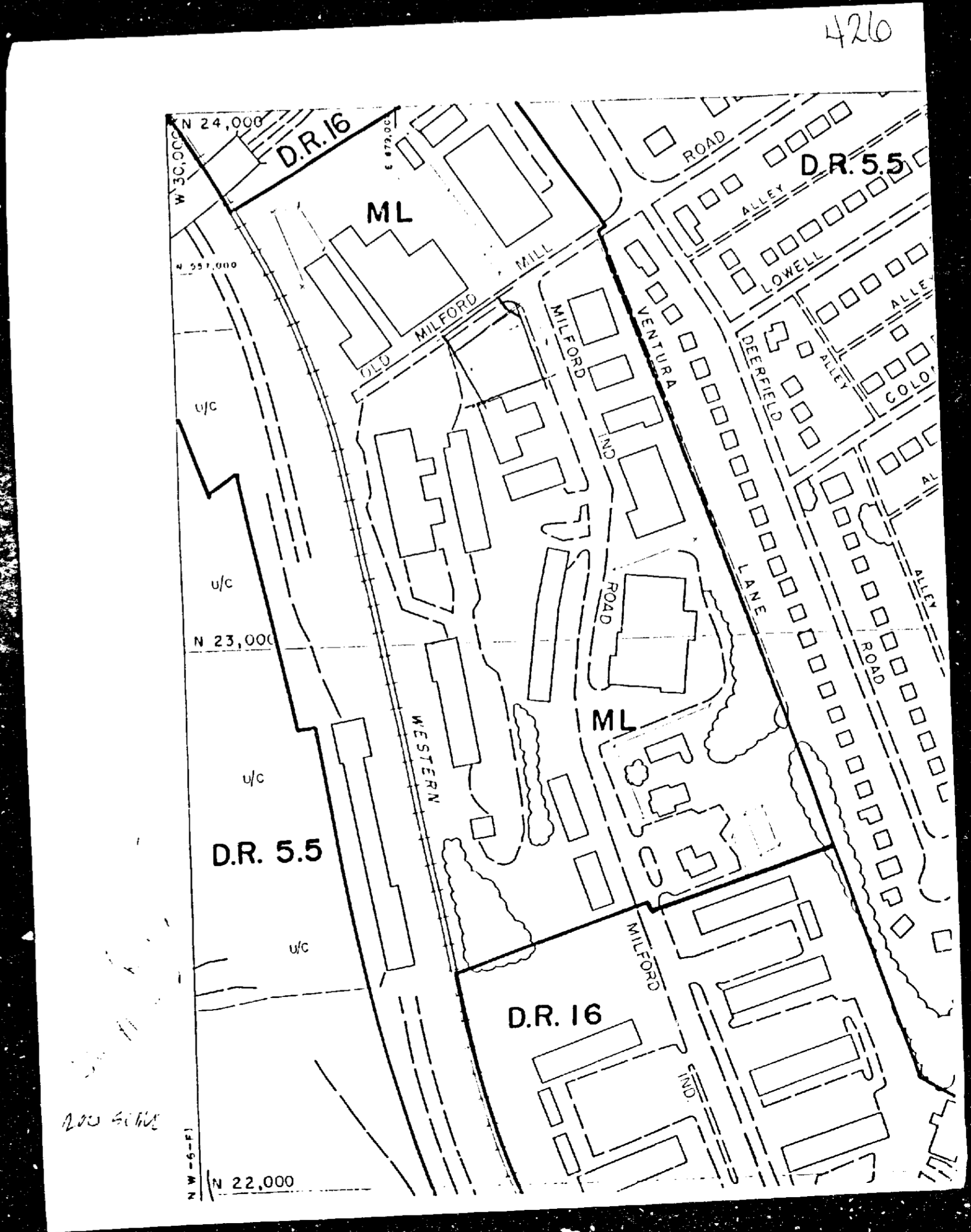
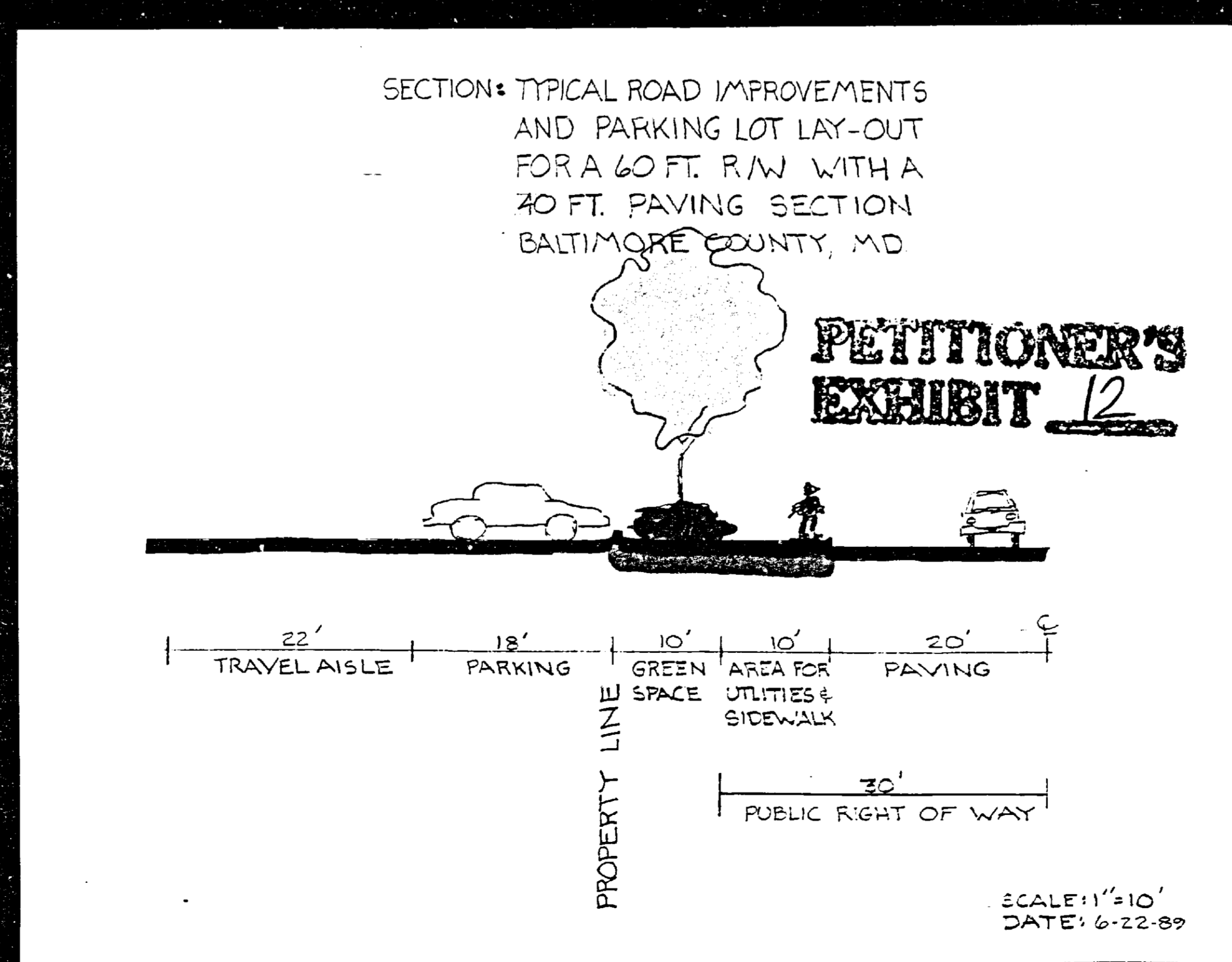
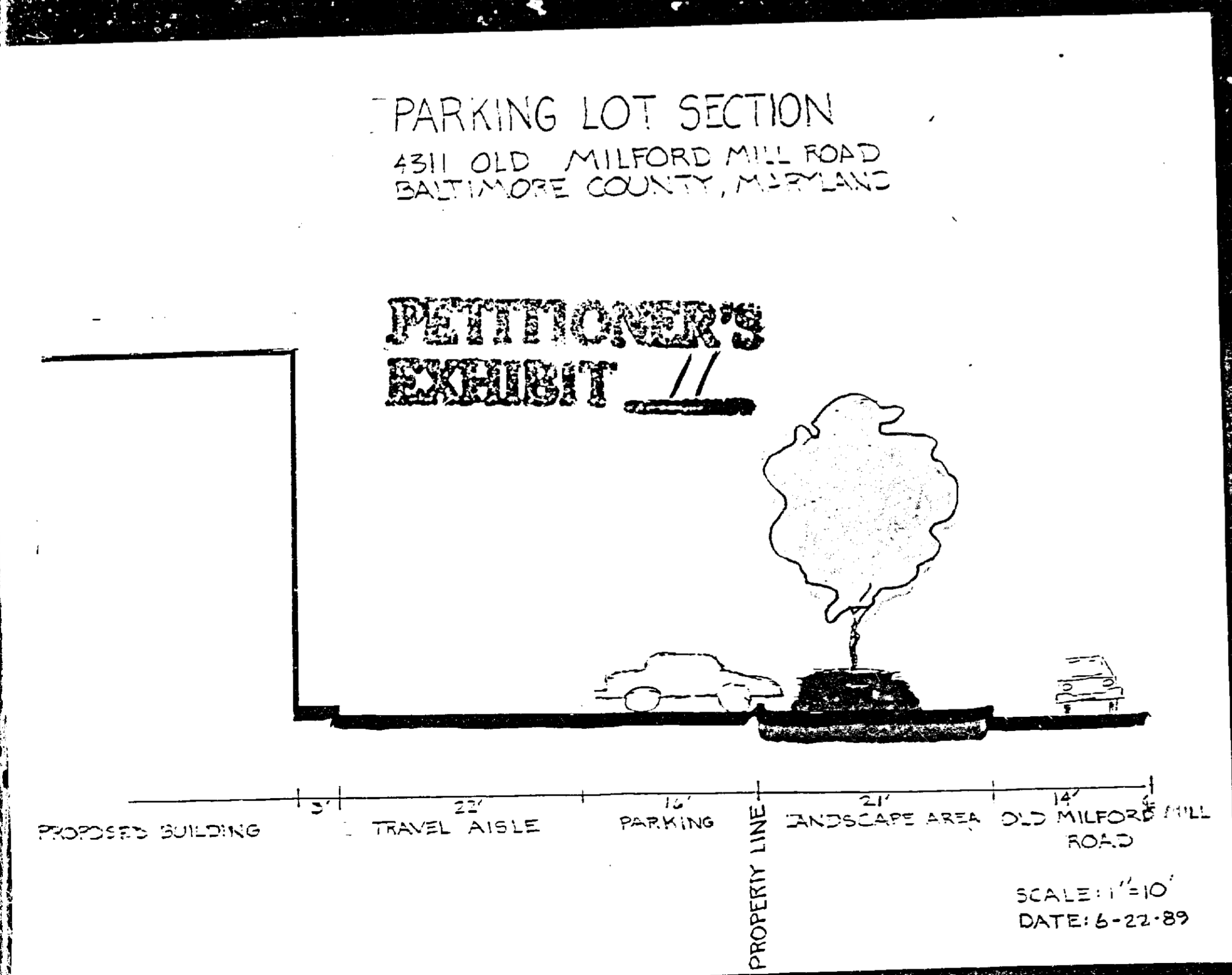
89-527-A

District: 3rd
Posted for: 14 days
Petitioner: Harold Snyder, Creative Realty
Location of property: SWC, Old Milford Mill Road and 4111 Old Milford Mill Road
Location of Sign: South side of Old Milford Mill Road
Remarks: in front of subject property
Posted by: J. Robert Haines
Signature
Date of return: June 9, 89





PETITIONER'S EXHIBIT 5



R9-527-A
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
26th day of April, 1989

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Harold Snyder
Petitioner's Attorney: _____
Received by: James P. Dyer
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE
June 7, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Harold Snyder
7130 Milford Industrial Road
Baltimore, MD 21209

RE: Item No. 426, Case No. 89-527-A
Petitioner: Harold Snyder
Petition for Zoning Variance

Dear Mr. Snyder:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development. This petition will be placed in the hearing plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commission Planning with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James P. Dyer
JAMES P. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw
Enclosures

cc: Creative Realty
William P. Monk

23
Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

April 25, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines

The Bureau of Traffic Engineering has no comments for items number 424, 425, 426, 427, 428, 429, 430, 431, 432, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, and 448.

Very truly yours,
Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

RECEIVED
APR 29 1989
ZONING OFFICE

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2586
(301) 887-4500
Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: Legal Owner: Harold Snyder
Contract Purchaser: Creative Realty

Location: SWC (Old) Milford Mill & Milford Industrial Pds.
(4311 Old Milford Mill Road)

Item No.: 426 Zoning Agenda: April 25, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Paul H. Reincke* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

APR 28 1989

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

Zoning Advisory Committee
TO: *Carl Richards* Date: May 11, 1989

FROM: Robert W. Bowling, P.E.

SUBJECT: Item 426

PROPERTY OWNER: Legal Owner: Harold Snyder
Contract Purchaser: Creative Realty

LOCATION: SWC (Old) Milford Mill & Milford Industrial Roads
(4311 Old Milford Mill Road)

DISTRICT: 3rd Election District

The Zoning Plan for the subject item has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

All private contracts for construction of storm drains and roads intended for public title and maintenance must be let under a contract form, proposal and attachments adopted by the Baltimore County Department of Public Works. The Developer has the option of placing the storm drains under a public contract.

All construction drawings and construction for public use shall conform with Baltimore County Department of Public Works Design Standards and Standard Specifications and Details for Construction.

The responsibilities of the Developer involving public improvements shall include the Inspection Fees, Burden and Fringe Costs incurred. Currently these charges are 3 times payroll for Metropolitan District Projects and 2 times payroll for the Capital Improvement Fund.

In accordance with Bill No. 56-82, dredging, filling or construction in any wetland is prohibited.

Any manmade embankment over 10 feet vertically shall be designed and/or approved by a soils engineer. The following note is to be placed on the sediment control plans and grading plans before approval will be given:

"All manmade embankments have been designed and/or certified for stability by a soils engineer."

The Developer shall be responsible for damages to the County's facilities, such as water meters, manholes, curbs and gutters and inlets within his subdivision. Occupancy Permits will be withheld until such damages have been corrected.

MAY 19 1989

Milford Industrial
Multi-tenant Warehouse
Page 2
May 11, 1989

GENERAL COMMENTS: (Con't)

The Developer's Engineer shall investigate the need and obtain the necessary permits for the facilities serving this site that may require a "Corps of Engineer's Permit", a "Water Resources Permit", a "Water Quality Certification", and any other Federal or State Permits. These facilities cannot be sent to contract until such permits have been received.

The Developer shall not allow any cable television cables to be installed in this subdivision without the required County permits being obtained. Baltimore County will not assume any rights-of-way, easements, or maintenance of any public improvements, where such cables have been installed without a permit until the cables are satisfactorily located.

HIGHWAY COMMENTS:

Milford Industrial Road and Milford Mill Road have been improved to their ultimate sections. No improvements are necessary.

It shall be the responsibility of the Developer's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way. The Developer shall be responsible for the submission of all necessary plans and for all costs of acquisition and/or abandonment of these rights-of-way.

The entrance locations are subject to approval by the Bureau of Traffic Engineering.

Entrances shall be a minimum of 24 feet and a maximum of 35 feet wide, shall have 10-foot minimum radii curb returns, shall be located a minimum of 15 feet from any property line, and shall be constructed in accordance with Baltimore County Standards (Details R-32, 1977 Edition), as the Developer's total responsibility.

Prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Bureau of Public Services (887-3321 for commercial or 887-3363 for residential).

In accordance with Bill No. 32-72, street lights are required in all subdivisions. The Developer will be responsible for the full costs of installation of the cable, poles and fixtures. The County will assume the cost of the power after installation.

Ramps shall be provided for physically handicapped persons at all street intersections.

Sidewalks are required adjacent to the public roads serving this site, including State roads as applicable. The walks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards, which places the back edge of the sidewalk 2 feet off the property line, or the adjacent unencumbered area.

Milford Industrial
Multi-tenant Warehouse
Page 3
May 11, 1989

HIGHWAY COMMENTS: (Con't)

The Developer shall be responsible for construction stake-out of all highway improvements required in connection with this site and all stake-outs shall be in accordance with Baltimore County Standards.

It shall be the Developer's responsibility to have his engineer set property line control stakes on the points of curvature and points of tangency and on adjacent rights-of-way along proposed roads to be used as control for the stake-out of utilities.

STORM DRAINS AND SEDIMENT CONTROL COMMENTS:

The Developer is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall. The Developer's cost responsibilities include the acquiring of easements and rights-of-way - both onsite and offsite - and the deeding in fee of said rights-of-way to the County. Preparation of all construction, rights-of-way and easement drawings, engineering and surveys, and payment of all actual construction costs including the County overhead both within and outside the development, are also the responsibilities of the Developer.

Onsite drainage facilities serving only areas within the site are considered private. Therefore, construction and maintenance shall be the Developer's responsibility. However, a drainage area map, scale 1" = 200', including all facilities and drainage areas involved, shall be shown on a plan and submitted to Baltimore County for review.

The Developer must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Developer.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm water management drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

In accordance with Baltimore County Council Grading, Sediment Control and Forest Management Ordinance (Bill No. 33-89), a grading plan shall be approved and a Performance Bond posted prior to issuance of a grading permit. A sediment control plan is required. The number of square feet of land disturbed shall be indicated on the sediment control drawing.

Milford Industrial
Multi-tenant Warehouse
Page 4
May 11, 1989

WATER AND SANITARY SEWER COMMENTS:

Permission to obtain a metered connection from the existing main may be obtained from the Department of Permits and Licenses.

Permission to connect to, or (to connect additional sanitary fixtures to) the existing public sanitary sewer may be obtained from the Department of Permits and Licenses.

The total water and/or Sanitary Sewer System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This charge is in addition to the normal front foot assessment and permit charges.

Fire hydrant spacing and location are subject to review and approval by the Fire Protection Section of the Fire Department.

This property is subject to Water and/or Sewer System Connection Charges based on the size of water meters utilized in accordance with current County Policy.

The Developer shall contact Mr. Carlyle Brown of the Bureau of Public Services on 887-3321 for information on obtaining water service where the meter required is 3" or less, or the Developers Engineering Division on 887-3751 for water service requiring meters 4" and larger.

This Plan may be approved subject to compliance with all of the above comments.

Robert W. Bowling, P.E., Chief
Developers Engineering Division

RWB:pab
cc: File
MILFORD/TEXTCOM2

April 3, 1989

Zoning Commissioner
Baltimore County, Maryland:

Re: 4311 Old Milford Mill Road
Pikesville, Maryland 21208

I am the titled owner of the above captioned property and authorize Creative Realty, Inc. (applicant) and William P. Monk (agent) to represent me in the variance application and subsequent hearing.

Sincerely,
Harold Snyder
Harold Snyder

STATE OF MARYLAND, BALTIMORE TO WIT:

I HEREBY CERTIFY, that on this 6 day of April, 1989, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore, aforesaid, personally appeared HAROLD SNYDER the above named grantor and he acknowledged the foregoing to be his act.

AS WITNESS MY HAND AND NOTARIAL SEAL.

Stephen J. Lawton
Notary Public

My Commission Expires July 1, 1990

PETITIONER'S
EXHIBIT 1

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: June 22, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case No. 89-527-A
Item No. 426

Re: Harold Snyder

The Petitioner requests variances to allow parking spaces to be located 0 feet and 5 feet from the street right of way in lieu of the required 10 feet and to allow building setbacks of 1 foot and 27 feet in lieu of the required 30 feet. In reference to this request, staff offers the following comments:

A waiver of CRG meeting was granted by the Planning Board on May 19, 1989 (W-89-107). However, a CRG plan must be submitted for review and approval. The approved zoning plan should conform to the approved CRG plan and the final landscape plan.

This office has no objection to the proposed building setbacks.

The requested parking setbacks create a conflict with Section IX.B.2 of the Landscape Manual, which requires a minimum 8 foot wide planting area along public streets. A modification of such standards may be requested in accordance with Section VIII of the Landscape Manual. This office would support a modification request provided that the 2 foot parking overhang is eliminated from the street right of way of Old Milford Mill Road. Wheel stops should be provided to prevent encroachment.

The parking spaces, travel aisle and building would need to be shifted 2 feet to accommodate the elimination of the overhang. Thereby reducing the building width from 77 feet to 75 feet and reducing the parking setback along the southern property line from 4 feet to 2 feet.

A backup area must be provided at the end of the parking lot adjacent to lot 20.

Details of tenant identification signs will be required on the CRG plan.

A landscape plan must be submitted for approval prior to the issuance of any building permits. A note shall be included on the landscape plan indicating that any landscaping provided in the public right of way shall be maintained by the property owners.

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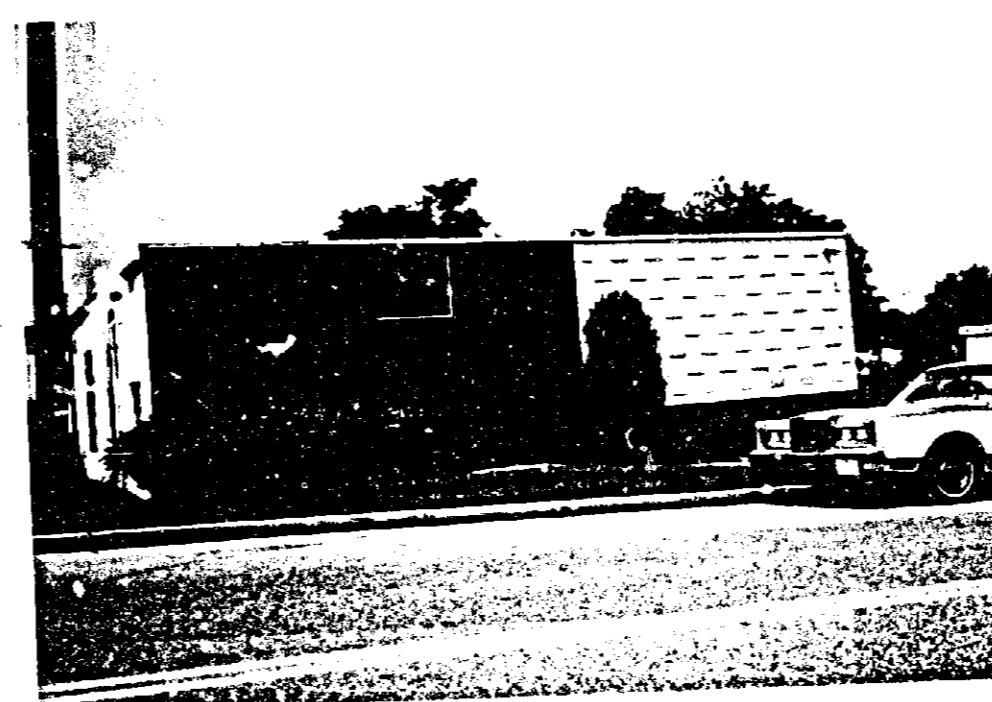
WILLIAM MONK

LAND USE PLANNING AND ZONING CONSULTANT

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

7620 LITTLE RIVER TURNPIKE
SUITE 300
ANNANDALE, VA 22003
703-750-0111

SURROUNDING LAND USES



PETITIONER'S
EXHIBIT 2

WILLIAM MONK

LAND USE PLANNING AND ZONING CONSULTANT

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

7620 LITTLE RIVER TURNPIKE
SUITE 300
ANNANDALE, VA 22003
703-750-0111

SURROUNDING LAND USES



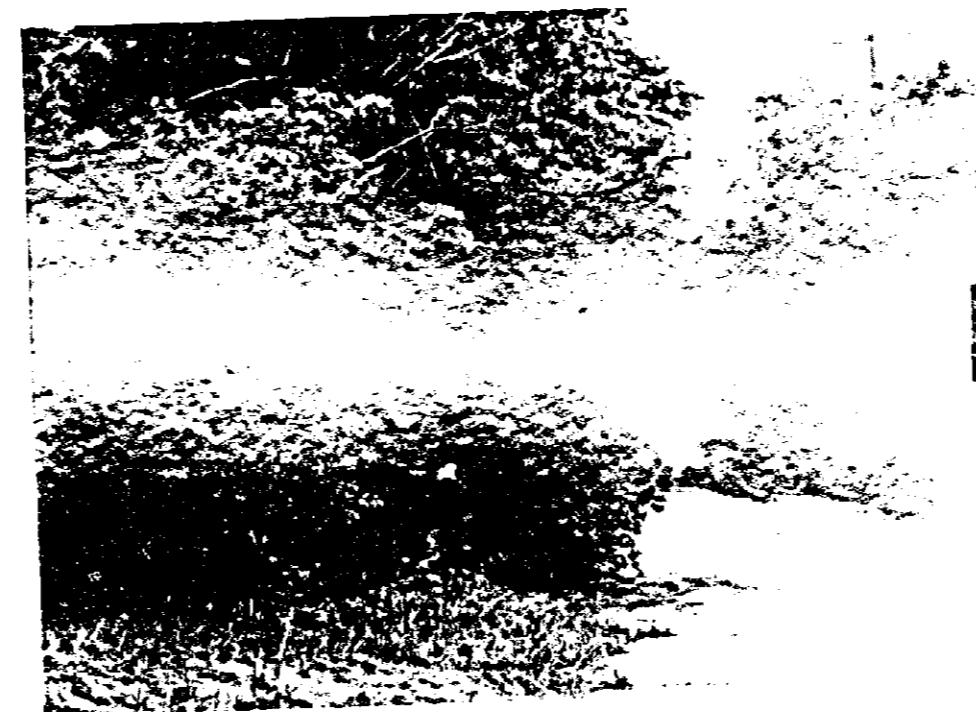
PETITIONER'S
EXHIBIT 3

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

ALLEY: WEST SIDE OF PROPERTY



SOUTH VIEW



NORTH VIEW

PETITIONER'S
EXHIBIT 7

WILLIAM MONK

LAND USE PLANNING AND ZONING CONSULTANT

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

7620 LITTLE RIVER TURNPIKE
SUITE 300
ANNANDALE, VA 22003
703-750-0111

MILFORD IND. ROAD: ON STREET
PARKING & TYPICAL LANDSCAPE AREAS



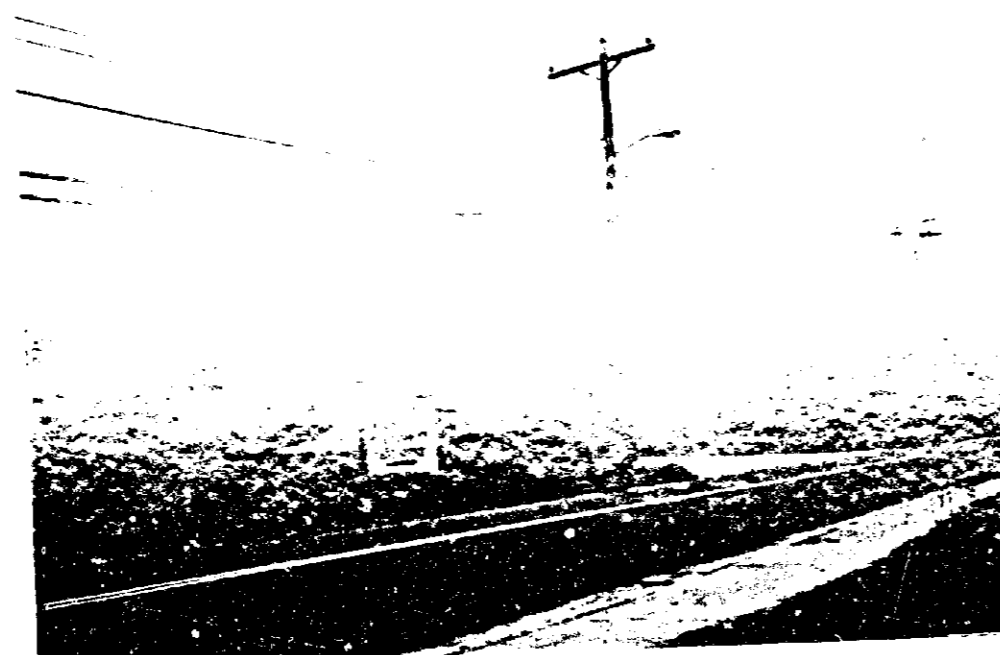
PETITIONER'S
EXHIBIT 8

WILLIAM MONK, INC.

LAND USE PLANNING • ENVIRONMENTAL PLANNING • ZONING

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

SITE: LOOKING S.W.



SITE: LOOKING SOUTH ON
MILFORD INDUSTRIAL ROAD



PETITIONER'S
EXHIBIT 6

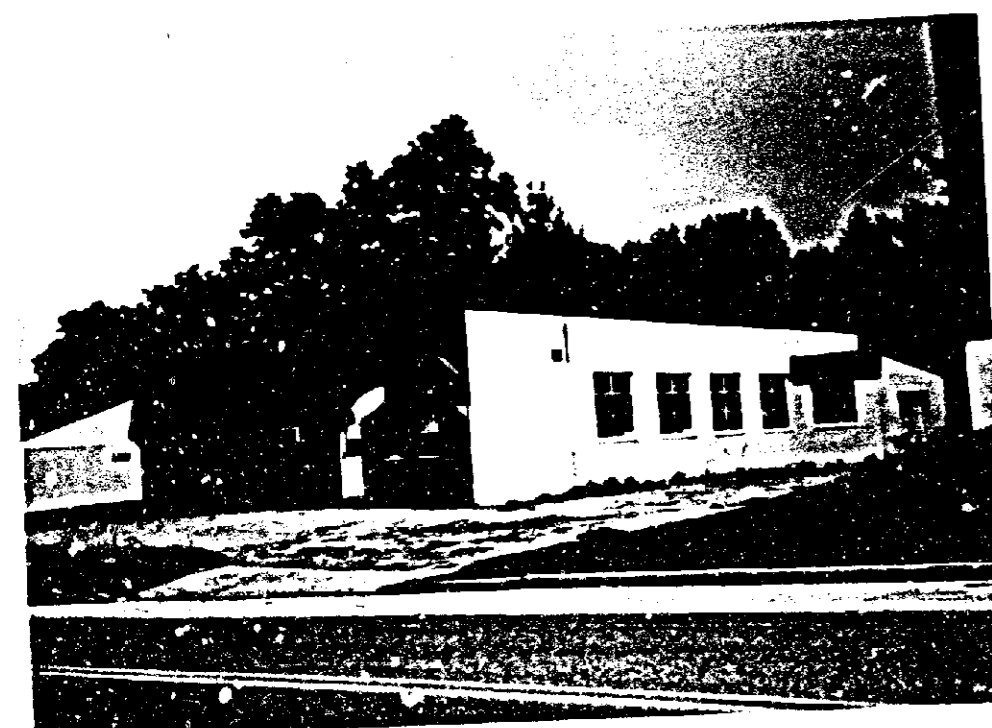
WILLIAM MONK

LAND USE PLANNING AND ZONING CONSULTANT

CAMPBELL BUILDING
100 W. PENNSYLVANIA AVENUE
Suite 305
TOWSON, MD 21204
301-494-8931

7620 LITTLE RIVER TURNPIKE
SUITE 300
ANNANDALE, VA 22003
703-750-0111

MILFORD INDUSTRIAL PARK: TYPICAL BUILDINGS



PETITIONER'S
EXHIBIT 4

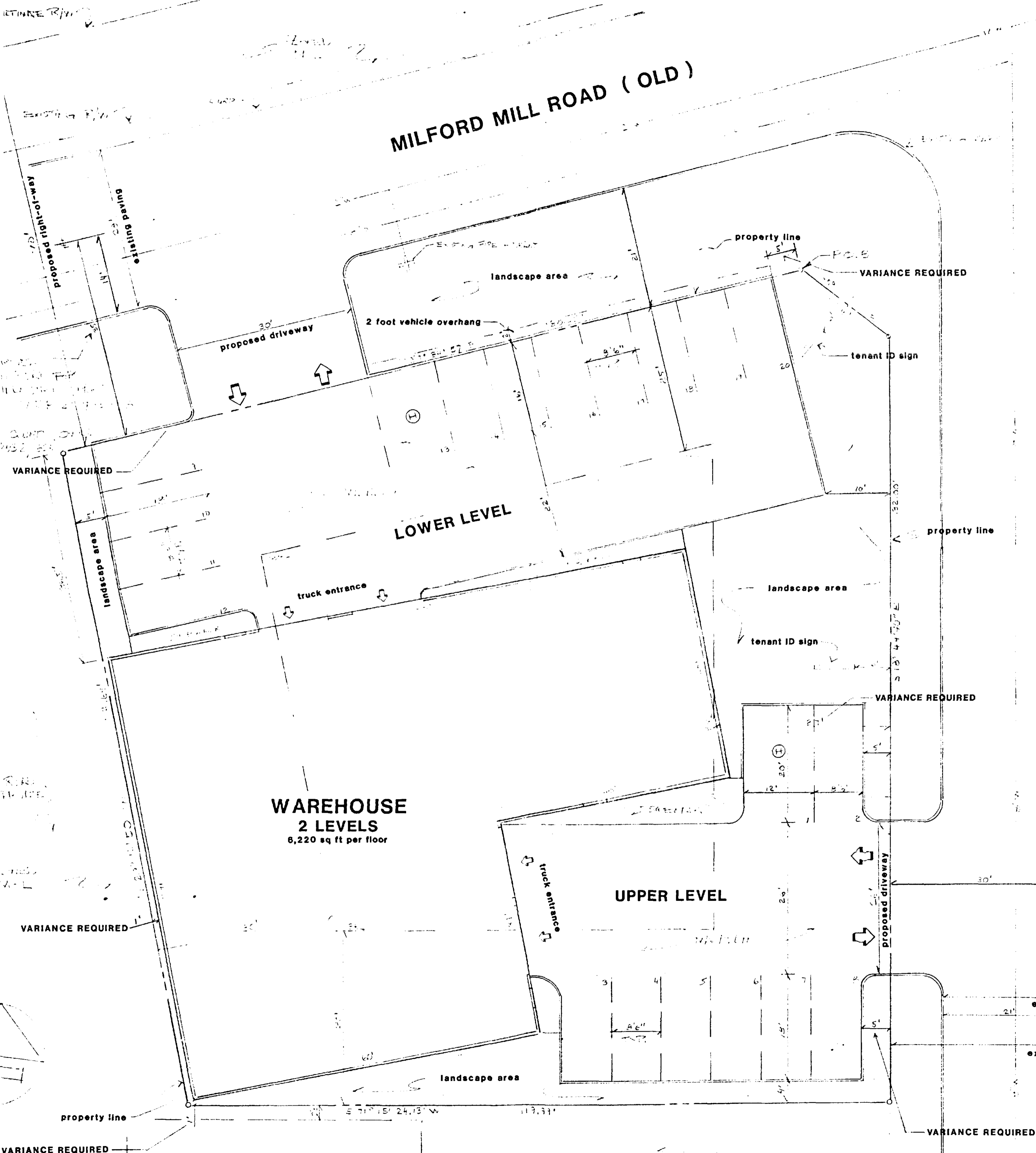
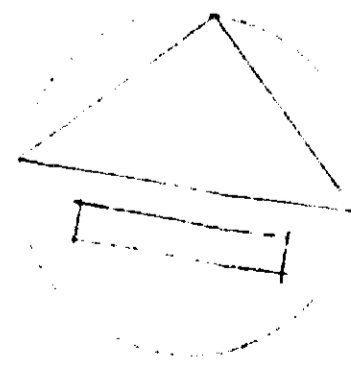
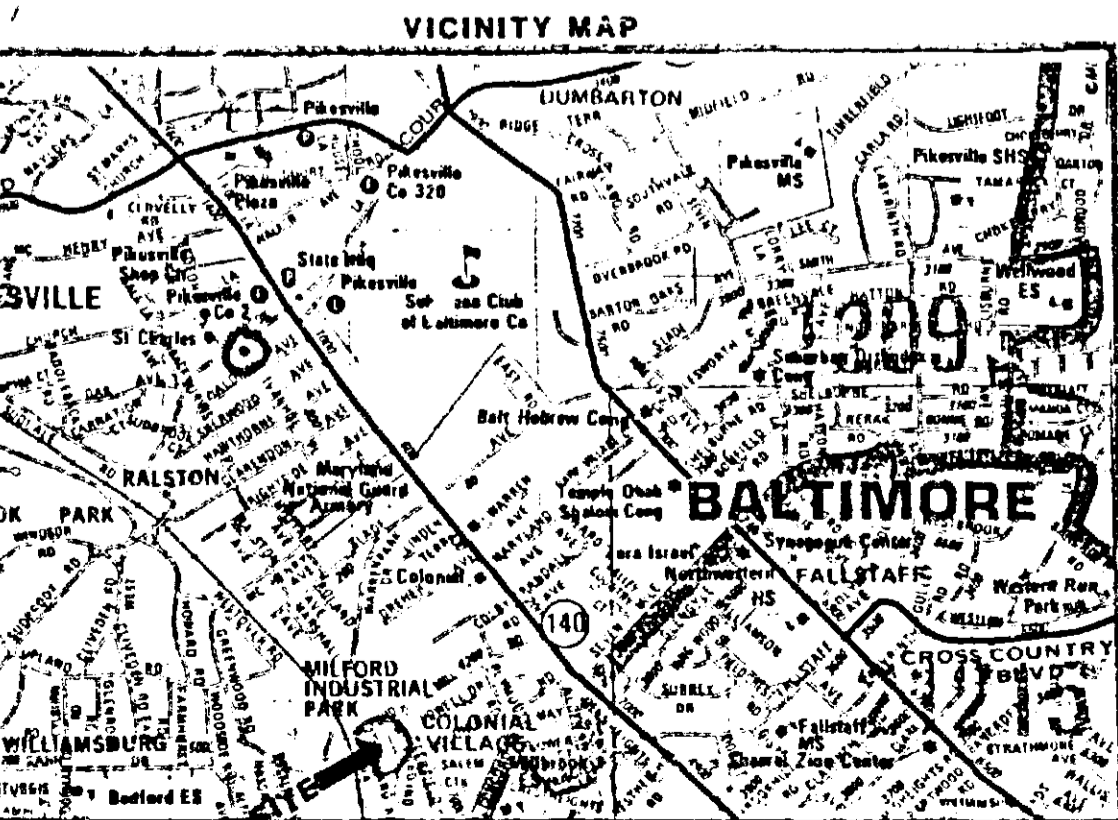
PLAT TO ACCOMPANY VARIANCE APPLICATION:

NOTES:

- 1) ZONING:
EXISTING- (MILFORD INDUSTRIAL PARK)
PROPOSED- (MILFORD INDUSTRIAL PARK)
- 2) LOT AREA: 1.25 ACRES
- 3) EXISTING USE: (MILFORD INDUSTRIAL PARK)
- 4) PROPOSED USE: (MILFORD INDUSTRIAL PARK)
- 5) BUILDING AREA: 6,220 sq ft per floor
- 6) BUILDING SETBACKS: REQUIRED PROVIDED
FRONT- 25' 36.5'
INTERIOR SIDE- 5' 1'
REAR- 30' 1'
STREET CORNER SIDE- 30' 27'
- 7) PARKING:
REQUIRED- 12 SPACES
PROVIDED- 12 SPACES
- 8) UTILITIES:
SEWER- (MILFORD INDUSTRIAL PARK)
WATER- (MILFORD INDUSTRIAL PARK)
- 9) VARIANCES:
VARIANCE REQUIRED
- 10) SPECIAL EXCEPTION/CONDITIONAL USE: (MILFORD INDUSTRIAL PARK)
- 11) SUBSEWER SHED AREA: 62
- 12) WATERSHED AREA: 26
- 13) CENSUS TRACT: (MILFORD INDUSTRIAL PARK)
- 14) ELECTION DISTRICT: (MILFORD INDUSTRIAL PARK)
- 15) COUNCILMANIC DISTRICT: (MILFORD INDUSTRIAL PARK)
- 16) BUILDING COMPUTATIONS:

- 17) DEED REFERENCE: (MILFORD INDUSTRIAL PARK)
- 18) ACCOUNT #: (MILFORD INDUSTRIAL PARK)
- 19) PARKING COMPUTATIONS:

DATE: 10/15/11
TIME: 10:17
BY: [Signature]



PRELIMINARY SITE PLAN

PROPOSED MULTI-TENANT WAREHOUSE BUILDING
4311 MILFORD MILL ROAD
MILFORD INDUSTRIAL PARK
BALTIMORE COUNTY, MD

PREPARED BY:
WILLIAM P. MONK
LAND USE PLANNING AND ZONING CONSULTANT
LOVELA FEDERAL BUILDING
SUITE 204A
22 W PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204
(301) 494-8931

APPLICANT:
CREATIVE REALTY
1802 REISTERSTOWN ROAD
BALTIMORE, MD 21208

#426

SCALE:
DRAWN BY:
DATE:
REVISED:



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 25, 2000

S. Leonard Rottman
Adelberg, Rudow, Dorf, Hendler & Sameth, LLC
Attorneys at Law
600 Mercantile Bank & Trust Building
2 Hopkins Plaza
Baltimore, Maryland 21201

Dear Mr. Rottman:

RE: 4311 Milford Mill Road
Zoning Case #89-527-A
3rd Election District

Your letter addressed to Mr. Arnold Jablon, dated June 15, 2000 has been referred to me for reply.

Please be advised that after careful review of your amended site plan, the Department of Permits and Development Management, Zoning Review Bureau, has considered the addition as within the spirit and intent of the referenced zoning hearing, provided all other zoning, development, and permit regulations are followed.

You must stick-back a copy of this letter on all plans submitted to Baltimore County for permit approval.

Please prepare and submit to this office an amended plan clearly showing the addition and other collateral changes, including a signature block titled:

APPROVED AS BEING WITHIN THE SPIRIT AND INTENT OF THE PLAN AND ORDER
IN ZONING CASE # _____

Signed By _____ Date _____

This amended plan will be included in the zoning case file.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Lloyd T. Moxley
Planner II
Zoning Review

LTM:ap



Come visit the County's Website at www.co.ba.md.us

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 003569

DATE: 7/20/00 ACCOUNT: 201-6150
AMOUNT: \$40.00 (LTM)

RECEIVED FROM: Adelberg, Rudow, Dorf, Hendler & Sameth, LLC
FOR: 4311 Old Millford Mill Rd

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC

ATTORNEYS AT LAW
600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

TELEPHONE
410-539-5195
TELECOPIER
410-539-5834

S. LEONARD ROTTMAN

July 17, 2000

Mr. Lloyd Moxley
Baltimore County Department
of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: AT&T Wireless Services
4311 Old Millford Mill Road
Site No. L644
Our File No.: 9478-816

Dear Lloyd:

Enclosed please find a revised Site Plan for the property at 4311 Old Millford Mill Road. Please note that the plan now shows on it a parking calculation based on existing use of the building on the property.

With your receipt of the enclosed, I hope you can now complete your review of the request to issue a spirit and intent letter pursuant to my letter of June 15, 2000 to Arnold Jablon. After your review of this letter, call me if you have any questions. I would greatly appreciate it if you could act on this matter as soon as possible and if you are in a position to do so, have the spirit and intent letter issued quickly.

Kindest personal regards.

Sincerely,

S. Leonard Rottman

SLR/tma
enc.
cc: Mr. Mark Sapperstein (w/o enc.)
Ms. Tracy Bender (w/o enc.)
Mr. Tony Arnold (w/o enc.)

M:\WP\073\N\Cash\moxley lr - 7/17/00

ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC

ATTORNEYS AT LAW
600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

TELEPHONE
410-539-5195
TELECOPIER
410-539-5834

S. LEONARD ROTTMAN

June 15, 2000

Arnold E. Jablon, Esq.
Director
Baltimore County Office of Zoning Administration
and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: 4311 Old Millford Mill Road
AT&T Site L644
Our File No.: 9478-816

Dear Mr. Jablon:

This office represents AT&T Wireless Services, Inc. Our client wishes to expand the equipment it now has in place at 4311 Old Millford Mill Road. The equipment services antennas placed on a monopole owned by Shore Communications at that site. I recently met with Carl W. Richards, Jr., John J. Sullivan, Jr. and Lloyd Moxley of your office to discuss this matter.

The subject site is 0.49 acres located at the southwest corner of Old Millford Mill and Millford Industrial Roads. The site is presently improved by a 8000 square foot commercial use building and the telecommunications monopole with related equipment. The equipment for Cellular One is presently housed in a 12' x 26' shelter set on a concrete pad. The equipment for AT&T is contained in an equipment cabinet approximately 4' x 5' set on an existing 12' x 30' foot concrete pad.

The building, monopole and pad sites were built in 1997 pursuant to Permit Nos. B295012, B295017, B295023 and B295025. The permits were issued pursuant to Zoning Case No. 89-527A and a "spirit and intent" letter dated January 16, 1997 signed by John J. Sullivan, Jr. of the Department of Permits and Development Management. For your convenience, enclosed is a copy of the permits and letter referred to above, together with a copy of the letter dated January 8, 1997 to you from Michael Maguire referred to in Mr. Sullivan's letter.

AT&T now wishes to expand its equipment at the site and to place the equipment in a 12' x 20' shelter, to be set on the southwestern most part of the existing 12' x 30' concrete pad. Attached is a plan showing the proposed expansion and pad site. The prior zoning case and 1997 spirit and intent letter allowed construction of the building, the monopole, the Cellular One shelter and pad site and the additional pad site with set back variances. AT&T now wishes to place its equipment shelter on the existing pad site. We believe that allowing the shelter to be placed on the existing pad site is within the spirit and intent of the original zoning variance granted and of the January 16, 1997 letter from Mr. Sullivan.

ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC

Arnold E. Jablon, Esq.
June 15, 2000
Page 2

We respectfully request that you approve construction of the proposed AT&T shelter on the southwestern most portion of the existing pad site as being within the spirit and intent of Zoning Case No. 89-529-A and the letter from Mr. Sullivan.

We enclose our check for \$40.00 to cover your review of this proposal.

Very truly yours,

S. Leonard Rottman

SLB/mkb
Enclosures

cc: Mr. Carl W. Richards, Jr. (w/o enc.)
Mr. Mark Sapperstein (w/o enc.)
Mr. James Duncan (w/o enc.)

073\AT&T\62 lr

ADELBERG, RUDOW, DORF, HENDLER & SAMETH, LLC

ATTORNEYS AT LAW
600 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MARYLAND 21201

TELEPHONE
410-539-5195
TELECOPIER
410-539-5834

S. LEONARD ROTTMAN

June 28, 2000

Mr. Lloyd Moxley
Baltimore County Department
of Permits and Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: AT&T Wireless Services
4311 Old Millford Mill Road
Site No. L644
Our File No.: 9478-816

Dear Lloyd:

Per your request, enclosed is a copy of the Site and Utility Plan prepared by DMW for the spirit and intent letter requested by Shore Communications in 1996.

Kindest personal regards.

Sincerely,

S. Leonard Rottman

SLR/tma
enc.

cc: Mr. James Duncan (w/o enc.)
Mr. Mark Sapperstein (w/o enc.)
Mr. Tony Arnold (w/o enc.)

M:\WP\073\N\Cash\moxley lr - 6/27/00

05/26/00 15:17
05/28/00 FRI 15:12 FAX

December 24, 1996

Mr. Arnold E. Jablon, Director
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204

Re: Milford Mill Site
Shore Communications
Project No. 96011

Dear Arnold:

DMW

Draft of Plans: Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21206
410-296-3333
Fax: 296-1705

A Team of Land Planners
Landscape Architects
Engineers, Surveyors &
Environmental Professionals

Enclosed are two prints of a marked up site plan, the original of which accompanied the Variance petition in Zoning Case 89-527-A. The petition sought a variance to allow parking within zero feet of Old Millford Mill Road and within five feet of Millford Industrial Road in lieu of the required ten feet as well as variances to permit building setbacks of one foot for the interior side and rear yards and twenty-seven feet for a street side yard in lieu of the required thirty yards. There was no opposition at the hearing, and the requested relief was granted in an Order dated July 14, 1999, subject to several minor restrictions.

The subject site is 0.49 acres located on the southwest corner of Old Millford Mill and Millford Industrial Roads. The site is currently vacant and there are no previous development plans on file at Baltimore County for the subject property.

The original site plan called for the construction of an L-shaped warehouse building and parking lots. Shore Communications, the contract purchaser for the lot, wishes to modify the proposed development to construct only the 40' by 100' portion of the originally proposed, 2-story warehouse. The reduced main building will be combined with a wireless transmitting and receiving facility as shown on the attached site plan. The proposed communications facility will consist of a 180-foot tall monopole structure suitable for up to three carrier's antennas and unmanned accessory equipment buildings for radio and telephone switching gear. Part of the proposed warehouse will also be available for placement of cellular equipment and connection to the monopole.

The wireless transmitting and receiving facility is permitted by right on the site since the zoning is M1 and there are no residential zones or uses within 200 feet of the proposed monopole location. This is demonstrated by the enclosed copy of 200 scale zoning map NW 6-E. Additionally, all provisions of BCZR §426.1 will be met by the proposed communications facility.

The current plan for the site represents a minor departure from the approved zoning site plan insofar as the overall warehouse has been reduced in size to make room for the proposed wireless transmitting and receiving facility. As the parking arrangement remains essentially the same and all of the setbacks for which variances were previously granted will remain as approved or will be more generous, we believe that the revised plan falls within the spirit and intent of the originally granted relief.

05/26/00 15:17
05/28/00 FRI 15:12 FAX

Mr. Arnold Jablon
Page 2
December 24, 1996

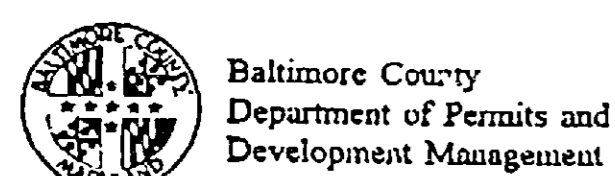
Please review the enclosed plans and the zoning map and confirm that the revised proposal is within the spirit and intent of the variances granted in Zoning Case 89-527-A. We appreciate your kind consideration of this matter.

Sincerely,

Michael T. Maguire
Senior Vice President

MTM/REM/mls

Enclosures



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 16, 1997

Mr. Michael J. Maguire
Senior Vice President
Deft McCune - Miller, Inc.
200 East Pennsylvania Avenue
Towson, MD 21286

RE: Zoning Verification
Milford Hill Site
Shore Communications
Zoning Case #09-527-A
3rd Election District

Dear Mr. Maguire:

Per our first conversation, I stated that the proposed buildings on shown on the prior submitted site plan, which accompanied your December 24, 1996 letter, would not be approved as being within the spirit and intent of the granted zoning hearing case #09-527-A. Per our second conversation, your letter dated January 8, 1997, and the accompanying site plan showing a detail of the structural and functional connections, this office will approve this request as being within the spirit and intent of the aforementioned zoning case.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 857-3291.

Very truly yours,

John C. Sullivan, Jr.
John C. Sullivan, Jr.
Planner II
Zoning Review

JCS:ryw

cc: zoning case 09-527-A

Enclosure

Permit Fee Name	7071	Fee	1,149.00
City of Baltimore	01	Fee	0.00
County of Baltimore	01	Fee	0.00
State of Maryland	01	Fee	0.00
Postage	01	Fee	0.00
Other	01	Fee	0.00
Total			1,149.00

Permit Fee Name	7071	Fee	1,149.00
City of Baltimore	01	Fee	0.00
County of Baltimore	01	Fee	0.00
State of Maryland	01	Fee	0.00
Postage	01	Fee	0.00
Other	01	Fee	0.00
Total			1,149.00



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

C. J. Sullivan
DIRECTOR

BUILDING PERMIT

J. L. R. King
BUILDINGS ENGINEER

PERMIT #: B295025 CONTROL #: CFC- DIST: 03 PREC: 02
DATE ISSUED: 02/19/97 TAX ACCOUNT #: 1900000711 CLASS: 07

PLANS: CONST 03 PLOT 7 R PLAT 0 DATA 0 ELEC NO PLUM NO
LOCATION: 4311 OLD MILFORD HILL RD
SUBDIVISION: SW COR MILFORD HILL

OWNERS INFORMATION
NAME: MILFORD HILL ASSOC INC
ADDR: 28 WALKER AVE 21202

TENANT: TBD
CONTR: TBD
ENGR: TBD
SELLR: TBD
WORK: CONSTRUCT 180' HIGH MONOPOLE RADIO TOWER W/18
ANTENNAS. SEE B295012 FOR BLDG FOUNDATION.
B295017 FOR BLDG & B295023 FOR FENCE PER DRC
01137K. WAIVE DATA SHEETS-CEN

BLDG. CODE: BOCA CODE OWNERSHIP: PRIVATELY OWNED
RESIDENTIAL CATEGORY:

ESTIMATED \$ PROPOSED USE: WIRELESS TRANSMITTING FACILITY & TOWER W/ANTENNA
25,000 EXISTING USE: VACANT

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION
USE: TOWER TOWER BASEMENT: NONE
FOUNDATION: SLAB WATER: PUBLIC EXIST
SEWAGE: PUBLIC EXIST

LOT SIZE AND SETBACKS

SIZE: 0185.54 X 0000.00
FRONT STREET:
SIDE STREET: NC
FRONT SETB: 18' 93"
SIDE STR SETB: 6'
REAR SETB: 6'

THIS PERMIT
EXPIRES ONE
YEAR FROM DATE
OF ISSUE

05/26/00

05/26/00



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

C. J. Sullivan
DIRECTOR

BUILDING PERMIT

J. L. R. King
BUILDINGS ENGINEER

PERMIT #: B295017 CONTROL #: C- DIST: 03 PREC: 02
DATE ISSUED: 02/21/97 TAX ACCOUNT #: 1900000711 CLASS: 07

PLANS: CONST 03 PLOT 9 R PLAT 0 DATA 0 ELEC YES PLUM NO
LOCATION: 4311 OLD MILFORD HILL RD
SUBDIVISION: SW COR MILFORD HILL

OWNERS INFORMATION
NAME: MILFORD HILL ASSOC INC
ADDR: 28 WALKER AVE 21202

TENANT: TBD
CONTR: TBD
ENGR: TBD
SELLR: TBD
WORK: CONSTRUCT FOUNDATION FOR & ERECT MODULAR
UNMANNED EQUIPMENT BLDG W/ WIRELESS TRANSMITTING
FACILITY - 11.5' X 26' X 10' - 2995F. SEE B295012 FOR
BLDG FOUNDATION OF FUTURE BLDG, B295023 FOR
FENCE & B295025 FOR TOWER PER DRC 01137K. WAIVE
DATA-CEN

BLDG. CODE: BOCA CODE OWNERSHIP: PRIVATELY OWNED
RESIDENTIAL CATEGORY:

ESTIMATED \$ PROPOSED USE: WIRELESS TRANSMITTING FACILITY
50,000 EXISTING USE: VACANT

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION
USE: OTHER - NON-RESIDENTIAL
FOUNDATION: SLAB BASEMENT: NONE
SEWAGE: PUBLIC EXIST WATER: PUBLIC EXIST

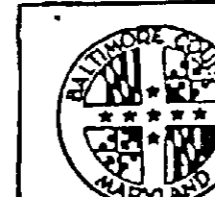
LOT SIZE AND SETBACKS

SIZE: 0185.54 X 0000.00
FRONT STREET:
SIDE STREET: NC/84'
FRONT SETB: 80'
SIDE SETB: 17'
SIDE STR SETB: 17'
REAR SETB: 17'

THIS PERMIT
EXPIRES ONE
YEAR FROM DATE
OF ISSUE

05/26/00

05/26/00



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

C. J. Sullivan
DIRECTOR

BUILDING PERMIT

J. L. R. King
BUILDINGS ENGINEER

PERMIT #: B295023 CONTROL #: MC- DIST: 03 PREC: 02
DATE ISSUED: 02/19/97 TAX ACCOUNT #: 1900000711 CLASS: 07

PLANS: CONST 00 PLOT 9 R PLAT 0 DATA 0 ELEC NO PLUM NO
LOCATION: 4311 OLD MILFORD HILL RD
SUBDIVISION: SW COR MILFORD HILL

OWNERS INFORMATION
NAME: MILFORD HILL ASSOC INC
ADDR: 28 WALKER AVE 21202

TENANT: TBD
CONTR: TBD
ENGR: TBD
SELLR: TBD
WORK: ERECT 200LF OF 8' CHAIN LINK FENCE AROUND EQUIP
STATION CAN NOT FENCE IN ANY EASEMENTS
SEE B295012 FOR FOUNDATION OF FUTURE BLDG,
B295017 FOR BLDG & B295025 FOR TOWER

BLDG. CODE: BOCA CODE OWNERSHIP: PRIVATELY OWNED
RESIDENTIAL CATEGORY:

ESTIMATED \$ PROPOSED USE: WIRELESS TRANSMITTING FACILITY & FENCE
5,000 EXISTING USE: VACANT

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION
USE: FENCE
FOUNDATION: SLAB BASEMENT: NONE
SEWAGE: PUBLIC EXIST WATER: PUBLIC EXIST

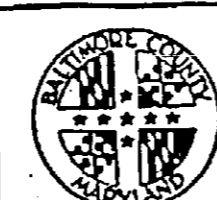
LOT SIZE AND SETBACKS

SIZE: 0185.54 X 0000.00
FRONT STREET:
SIDE STREET: 45'
FRONT SETB: 1' 75"
SIDE SETB: 1'
SIDE STR SETB: 1'
REAR SETB: 1'

THIS PERMIT
EXPIRES ONE
YEAR FROM DATE
OF ISSUE

05/26/00

05/26/00



BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
TOWSON, MARYLAND 21204

C. J. Sullivan
DIRECTOR

BUILDING PERMIT

J. L. R. King
BUILDINGS ENGINEER

PERMIT #: B295012 CONTROL #: C- DIST: 03 PREC: 02
DATE ISSUED: 02/21/97 TAX ACCOUNT #: 1900000711 CLASS: 07

PLANS: CONST 03 PLOT 9 R PLAT 0 DATA 0 ELEC NO PLUM NO
LOCATION: 4311 OLD MILFORD HILL RD
SUBDIVISION: SW COR MILFORD HILL

OWNERS INFORMATION
NAME: MILFORD HILL ASSOC INC
ADDR: 28 WALKER AVE 21202

TENANT: TBD
CONTR: TBD
ENGR: TBD
SELLR: TBD
WORK: CONSTRUCT FOUNDATION ONLY FOR FUTURE UNMANNED
TELEPHONE EQUIP. BLDG-12' X 30' = 360SF, SEE B295017
FOR BLDG, B295023 FOR FENCE & B295025 FOR TOWER
PER DRC 01137K. WAIVE DATA SHEETS-CEN, ISSUED AT
HOLDERS RISK. THIS PERMIT DOES NOT COMMIT BALTO
CO TO ISSUE FURTHER PERMITS (SECT 12.7 BOCA)

BLDG. CODE: BOCA CODE OWNERSHIP: PRIVATELY OWNED
RESIDENTIAL CATEGORY:

ESTIMATED \$ PROPOSED USE: WIRELESS TRANSMITTING FACILITY
5,000 EXISTING USE: VACANT

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION
USE: OTHER - NON-RESIDENTIAL
FOUNDATION: SLAB BASEMENT: NONE
SEWAGE: PUBLIC EXIST WATER: PUBLIC EXIST

LOT SIZE AND SETBACKS

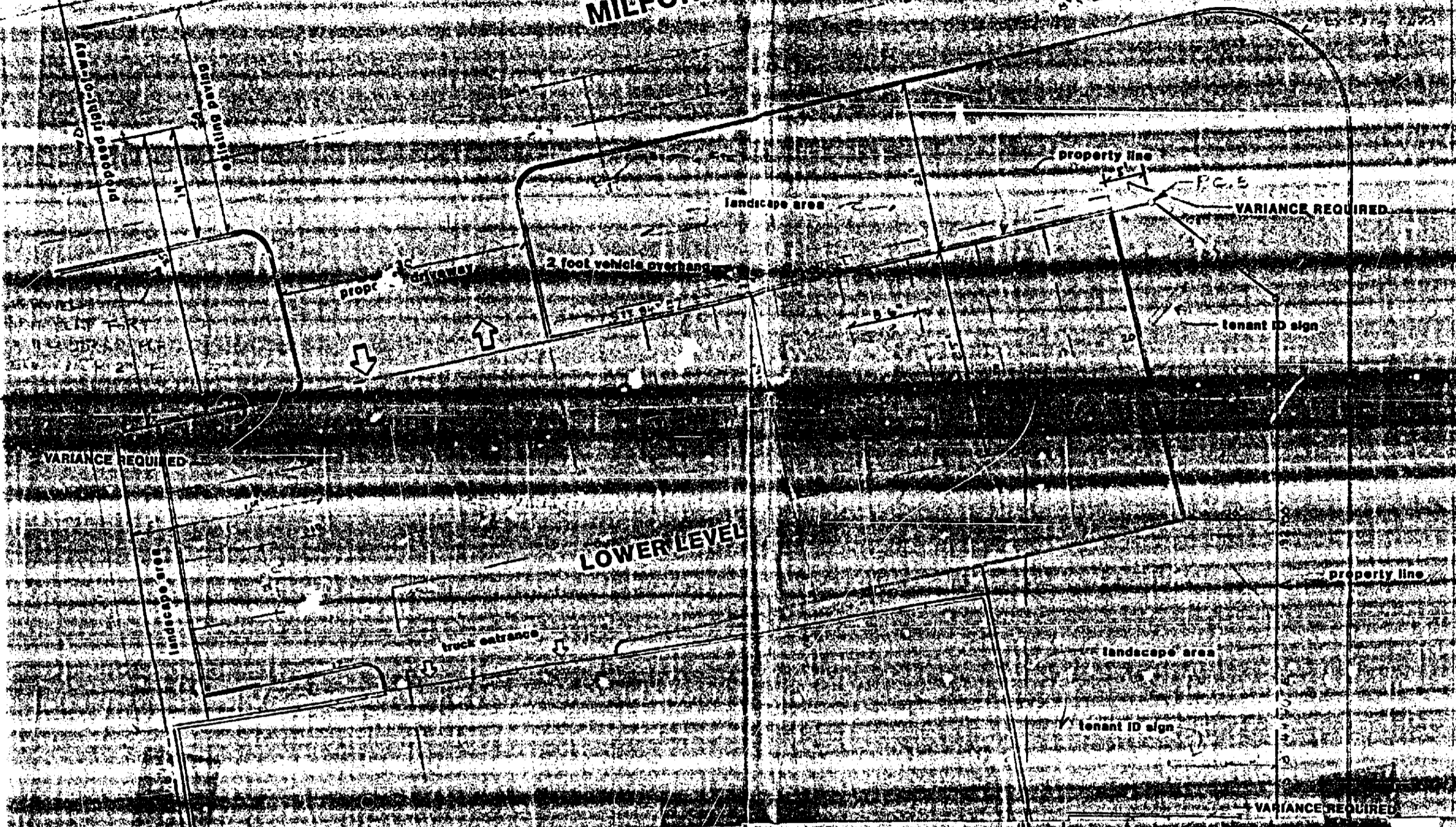
SIZE: 0185.54 X 0000.00
FRONT STREET:
SIDE STREET: 78'
FRONT SETB: 3' 11/2"
SIDE SETB: 12'
SIDE STR SETB: 12'
REAR SETB: 12'

THIS PERMIT
EXPIRES ONE
YEAR FROM DATE
OF ISSUE

05/26/00

05/26/00

MILFORD MILL ROAD (OLD)



WAREHOUSE 2 LEVELS 6,220 sq ft per floor

